

# EXHIBIT 5

REQUEST JUDICIAL NOTICE #5 of:  
JAMES MASSINGALE AND ANGELA MASSINGALE  
NOTICE of PENDENCY,  
By Eric S. Freeze

*Pro Per*

FILED  
LODGED  
OCT 26 2023 JC  
ENTERED  
RECEIVED

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

Eric S. Freeze

CASE No. 2 : 23-CV-01135-RSM

Plaintiffs,

**NOTICE OF PENDENCY OF  
ACTION**

v.

**DEFENDANT:**  
JAMES MASSINGALE AND  
ANGELA MASSINGALE

ELIZABETH E. GALLAGHER, JOSE T.  
ACUNA, ANN G. FREEZE REVOCABLE  
TRUST, and the RONALD L. FREEZE  
REVOCABLE TRUST, JAMES  
MASSINGALE AND ANGELA  
MASSINGALE,

Defendants

**NOTICE OF PENDENCY OF ACTION**

Notice is hereby given that the above-entitled action was filed in the above-entitled Court on October, 2023 by Plaintiff, Eric S. Freeze against Defendants JAMES MASSINGALE AND ANGELA MASSINGALE,

This lien is being applied to the Grantor/Defendant in his private capacity as a result of their malicious, willful intent to swindle through a scheme working in concert with one or more of the other Defendants to deprive Plaintiff of his home and remuneration for invoices received by the Trust

The assertions against the Grantors/Defendant's refusal to give Plaintiff his rightful use of his property and home.

This lis pendens lien is filed as per RCW 4.28.320, RCW 4.28.325, RCW 4.28.328, RCW 7.28.260, being a notice of the pendency filed in connection with an action under Title 6, 60, other than chapter 60.70 RCW, or 61 RCW.

*Pro Per*

1 Plaintiff claims on secured real property of Defendants JAMES MASSINGALE AND  
2 ANGELA MASSINGALE including but is not limited to the following property for the specified  
3 amounts:

4 \$850,000 -Invoiced amount of \$740,876.00 plus interest and penalties per Defendant

5 \$1,700,000 -Total amount of Lis Pendens claimed in this Notice for Plaintiff

6 Notice Is also Given that a legal description of the lands in question is included  
7 as part of this Notice of Lis Pendens for Defendant for each Plaintiff on each property  
8 listed.

9 This Action alleges a real property claim affecting certain real property that is situated as  
10 follows: for; JAMES MASSINGALE AND ANGELA MASSINGALE  
11 P64456

12 Abbreviated legal description: Section 19, Township 35, Range 9  
13 (1.7500 ac) THAT PORTION OF THE FOLLOWING DESCRIBED TRACT LYING SOUTHERLY OF  
14 YEAGER ROAD: THE WEST 525 FEET OF THAT PORTION OF GOVERNMENT LOT 4, SECTION 19,  
15 TOWNSHIP 35 NORTH, RANGE 9 EAST, W.M., LYING NORTHERLY OF THE GREAT NORTHERN  
16 RAILWAY COMPANY RIGHT-OF-WAY. EXCEPT THAT PORTION THEREOF LYING WESTERLY OF A  
17 LINE DRAWN SOUTH FROM A POINT ON THE NORTH LINE OF SAID SUBDIVISION THAT IS 225  
18 FEET EAST (AS MEASURED ALONG SAID NORTH LINE OF SAID SUBDIVISION) OF THE  
19 NORTHWEST CORNER OF SAID SECTION. ALSO TOGETHER WITH THE SOUTHERLY 146 FEET OF  
20 THE FOLLOWING DESCRIBED PROPERTY: THAT PORTION OF GOVERNMENT LOT 4, SECTION 19,  
21 TOWNSHIP 35 NORTH, RANGE 9 EAST, W.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE  
22 NORTHWEST CORNER OF SAID GOVERNMENT LOT 4; THENCE EAST ALONG THE NORTH LINE  
23 THEREOF, A DISTANCE 225 FEET; THENCE SOUTH TO THE NORTH LINE OF THE GREAT  
24 NORTHERN RAILWAY COMPANY RIGHT-OF-WAY; THENCE WESTERLY ALONG THE NORTH LINE  
25 OF SAID RIGHT-OF-WAY TO THE WEST LINE OF SAID GOVERNMENT LOT 4; THENCE NORTH,  
ALONG SAID WEST LINE, TO THE POINT OF BEGINNING.

Also known as:

48136 YEAGER ROAD, Concrete WA, 98237 Skagit County

Respectfully submitted this 26th day of October 2023,

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23 Eric S. Freeze  
24 P. O. Box 12  
25 Concrete, WA [98237]  
360-202-6178